



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of )  
COLIN OLOMAN ET AL. )  
Serial No.: 09/924,404 )  
Filing Date: August 7, 2001 )

FOR: ELECTROLYTIC GENERATION OF  
NITROGEN

Group Art Unit: 1742

RESPONSE UNDER 37 C.F.R. § 1.113

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Wesley A Nicolas  
Examiner

Dear Sir:

This communication is in response to the final rejection in the Office Action dated May 5, 2004. Being filed herewith are a Notice of Appeal under 37 C.F.R. § 41.31, a Petition to Revive an Unintentionally Abandoned Application under 37 C.F.R. § 1.137(b) and a Terminal Disclaimer under 37 C.F.R. § 1.137(d) along with a Fee Transmittal Sheet with payment for a three-month extension of time under 37 C.F.R. § 1.136 and the fees for the other documents filed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 222313-1450 on February 15, 2005

Cindy Guido

(Name)

*Cindy Guido*  
(Signature)

February 15, 2005

(Date of Signature)

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### AMENDMENTS TO THE CLAIMS

1-36. (cancelled as part of filing of this divisional application)

37. (currently amended) An electrolytic cell assembly comprising a rigid outer wall A housing for an electrolytic cell, the electrolytic cell comprising an anode, a cathode spaced apart from the anode, an electrolyte in electrical contact with the anode and the cathode, and a flexible wall containing the electrolyte between the anode and the cathode, and an electrolyte biased together in electrical contact, the electrolyte being contained by a flexible membrane, the electrolytic cell being biased against the rigid outer wall by a spring, so that the flexible wall accommodates compression of the electrolyte and compression of the cell by the spring within the rigid outer wall adapted to accommodate compression of the electrolyte, the housing having an opening to permit passage of as a gas is evolved from the electrolyte during electrolysis, the electrolytic cell being porous to permit passage of the gas, and the rigid outer wall having an opening to permit passage of the gas.